



31 MAY 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

#7

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Oblon, Spivak, McClelland, Maier & Neustadt, P.C.
1940 Duke Street
Alexandria, VA 22314

In re Application of :
YAMADA et al. :
Application No.: 10/540,882 :
PCT No.: PCT/JP03/16683 : DECISION ON REQUEST
Int. Filing Date: 25 December 2003 :
Priority Date: 25 December 2002 :
Attorney Docket No.: 274391US26XPCT :
For: LINEAR ACUTUATOR

This decision is in response to applicants' "Response to Notification of Missing Requirements under 35 U.S.C. 371" filed 09 March 2006 notifying the Office that the correct spelling of the third inventor's name is Motohiro IGARASI as indicated on the declaration rather than Motohiro Igarashi as indicated on the published international application. Applicants' request has been treated under 37 CFR 1.181. No petition fee is due.

The declaration of Motohiro Igarashi avers that "[t] has been brought to my attention that my last name was spelled incorrectly in the international application due to an error in translation. . . My true and correct name is Motohiro Igarashi, which is set forth on Declaration, Power of Attorney, and Petition filed herewith." As indicated in Section 201.03 of the Manual of Patent Examining Procedure, where a typographical or transliteration error in the spelling of an inventor's name is discovered, a petition under 37 CFR 1.48(a) is not required. Accordingly, applicants' explanation of the difference in the spelling of the third inventor's name is accepted and noted for the record.

For the reasons above, the request is **GRANTED**.

This application is being forwarded to United States Designated/Elected Office for further processing and for review of the national stage papers submitted 09 March 2006.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298
Fax: (571) 273-0459